#### **Councilors-at-Large**

Mark A. Oram Michael H. Ossing Samantha Perlman Kathleen D. Robey



#### **Ward Councilors**

Ward 1 – Laura J. Wagner

Ward 2 – David Doucette

Ward 3 – J. Christian Dumais

Ward 4 – Teona C. Brown

Ward 5 – John J. Irish

Ward 6 – Sean A. Navin

Ward 7 – Donald R. Landers, Sr.

## **Council President**

Michael H. Ossing

#### **Council Vice-President**

Kathleen D. Robey

# CITY OF MARLBOROUGH CITY COUNCIL MEETING MINUTES MONDAY, FEBRUARY 28, 2022

The regular meeting of the City Council was held on Monday, February 28, 2022 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Ossing, Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Perlman & Robey. Meeting adjourned at 8:20 PM.

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of the City Council meeting, February 14, 2022, FILE; adopted.

Mayor Vigeant provided the City Council with an update on COVID-19 and city events.

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the Information on the MassDevelopment PACE (Property Assisted Clean Energy) program and impact/opportunities for Marlborough, referred to the **CLIMATE RESILIENCY COMMITTEE**; adopted.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Grant Acceptance in the amount of \$24,999.00 from the Executive Office of Public Safety and Security and the Department of Fire Services awarded to the Fire Department to be used to improve multi-jurisdictional communication capabilities; adopted.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That the Transfer Request in the amount of \$361,080.93 which moves funds from PEG Funds to Marlborough Cable Trust to fund the operation of WMCT-TV for FY2023, referred to the **FINANCE COMMITTEE**; adopted.

# Councilor Ossing read a Disclosure of Appearance of Conflict of Interest into the record.

					CITY OF MA	RLBOROUGH					
					BUDGETT	RANSFERS -					
	DEPT:	Mayor					FISCALYE	AR:	2022		
		FROM ACC	COUNT:				TO ACCOL	JNT:			
Available											Available
Balance	Amount	Org Code	Object	Account 1	Description:	Amount	Org Code	Object	Account De	scription:	Balance
\$439,542.81	\$361,080.93	27000099	47750	Receipts F	Reserved-PEG Fund	ds \$361,080.93	89000	25581	Marlboro Cal	ble Trust	\$0.00
	Reason:	To fund WN	ICT'S FY 23	B Budget							
	\$361,080.93	Total				\$361,080.93	Total				

Motion by Councilor Irish, seconded by the Chair to adopt the following:

ORDERED: That a West Side Fire Station Stabilization Fund is hereby established, by a two-thirds vote pursuant to MGL Chapter 40 §5B, for the purposes of funding all costs associated with site acquisition and construction of a new fire station in the west side of Marlborough, referred to the **FINANCE COMMITTEE**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Solicitor Jason Grossfield, re: Request for Executive Session to discuss litigation strategy relative to WP Marlborough MA Owner, LLC v. Marlborough City Council, **MOVED TO AFTER AGENDA ITEM #14**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED: That the Communication from Solicitor Jason Grossfield, re: Petition from William Camuso on behalf of Camuso Enterprises, LLC, for hours of operation of a gas station (Shell Station) at 431 Lincoln Street pursuant to Chapter 342 of the Code, in proper legal form, Order No. 20/22-1008046C, **MOVED TO AFTER AGENDA ITEM #13**; adopted.

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the Minutes of following Boards, Commissions and Committees, **FILE**; adopted.

- a) Board of Registrars, February 14, 2022.
- b) Commission on Disabilities, June 1, 2021.
- c) Council on Aging, January 11, 2022.
- d) Planning Board, January 10, 2022.
- e) Traffic Commission, November 3, 2021 & December 29, 2021.

Motion by Councilor Doucette, seconded by the Chair to adopt the following:

ORDERED: That the following CLAIMS, referred to the **LEGAL DEPARTMENT**; adopted.

- a) Amanda Clark, 121 W. Acton Road, Stow, MA, pothole or other road defect.
- b) William Connor III, 133 Ash Street, #1, pothole or other road defect.
- c) Helen Cronis, 215 Evelina Drive, residential mailbox claim (2a).
- d) Raymond Magee, 793 Stevens Street, residential mailbox claim (2a).
- e) Steven Moran, 79 Donovan Drive, #186, Quinebaug, CT, pothole or other road defect.
- f) Ildus Nurlat, 99 Second Road, residential mailbox claim (2a).
- g) Lorna Rousseau, 140 Donahue Drive, residential mailbox claim (2a).
- h) Kathlyn Scheel, 62 Leoleis Drive, residential mailbox claim (2a).
- i) Dorai Sitaram, 48 Morrissey Road, residential mailbox claim (2a).

## Reports of Committees:

Councilor Irish reported the following out of the Finance Committee:

# City Council Finance Committee Report and Minutes Wednesday – February 23, 2022

This meeting convened at 6:30 PM and was held in the City Council Chamber, second floor, City Hall. <u>Public attendance was permitted</u>. The meeting was televised on WMCT-TV (Comcast Channel 8) and Verizon/Fios Channel 34) and available for viewing using the link under the Meeting Videos tab on the city's website, home page (<a href="www.marlborough-ma.gov">www.marlborough-ma.gov</a>).

Finance Committee Members Present: Chairman Irish; Councilors Dumais, Oram, Perlman and Brown.

Finance Committee Members Absent: None

Other Councilors in Attendance: Councilors Ossing, Robey, Navin and Landers (arrived 6:36 PM).

The meeting convened at 6:30 PM.

#### 1. Order No. 22-1008509 – Mid-Year Transfers \$1,652,616.00:

The Finance Committee reviewed the Mayor's letter dated February 10, 2022 requesting \$1,652,616.00 in mid-year transfers from various departments that fund contractual bargaining units, the vaccine incentive program and mid-year department budget transfers. The Finance Committee voted 5 - 0 to approve the mid-transfer.

#### Reports of Committee Continued:

• The Finance Committee agreed to support suspending the rules at the February 28, 2022, City Council meeting to approve the mid-year transfers.

## 2. Order No. 22-1008512 – Parking Enforcement Officer Salary Ordinance:

The Finance Committee reviewed the Mayor's letter dated February 10, 2022 requesting change to the salary ordinance Chapter 125 for the Parking Enforcement Officer. The change would increase the Parking Enforcement Officer to not exceed \$25 per hour. The ordinance is in the process of being advertised. The Finance Committee voted 5 - 0 to approve the Parking Enforcement Officer salary ordinance change to not exceed \$25 per hour.

The Finance Committee adjourned at 7:31 PM.

Motion by Councilor Irish, seconded by the Chair to adopt the following:

# Suspension of the Rules requested – granted.

ORDERED: That the Mid-Year Transfer Requests totaling \$1,652,616.00 from various departments for FY 22, which moves funds from and to accounts as outlined in the transfer sheets, **APPROVED**; adopted.

				CITY OF M	ARLBOROUGH				
				BUDGET	TRANSFERS				
	DEPT:	Various				FISCAL YE	AR:	2022	
		FROM ACC	OUNT:			TO ACCOU	NT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$670,629.00	\$670,629.00	11990006	57820	Reserve for Salaries	\$2,237.00	11110002	50350	City Council Sect	\$30,110.00
	Reason:				Reason:	Contractual	Obligation		
\$6,909,493.00	\$768,447.00	10000	35900	Undesignated Fund	\$3,515.00	11110003	50070	City Councilors	\$46,536.00
	Reason:				Reason:	Contractual	Obligation		
					\$3,189.00	11210001	50010	Mayor	\$42,995.00
					Reason:	Contractual	Obligation		
					\$2,097.00	11210001	50321	Exec Aide to Mayor	\$28,240.00
					Reason:	Contractual	Obligation		
					\$1,724.00	11210002	50590	Exec Secretary	\$23,247.00
					Reason:	Contractual	Obligation		
					\$976.00	11330001	50015	Finance Director/Treas	\$45,067.00
					Reason:	Contractual	Obligation		
					\$4,043.00	11330002	50062	Finance Assistant	\$53,861.00
					Reason:	Contractual	Obligation		

			\$866.00	11330002	50520	Principal Clerk	\$20,829.00
			700.00				<del></del>
			Reason:	Contractual	Obligation		
			\$3,450.00	11350001	50020	Auditor	\$46,354.00
			\$3,450.00	11330001	50020	Auditor	\$40,334.00
			Reason:	Contractual	Obligation		
			\$430.00	11350001	50174	Procurement Officer	\$35,713.00
			Reason:	Contractual	Obligation		
			reason.	Contractaar	Obligation		
			\$1,642.00	11350002	50520	Principal Clerk	\$21,823.00
				0	011: 1:		
			Reason:	Contractual	Obligation		
			\$1,716.00	11410002	50550	Head Clerk	\$23,669.00
			Reason:	Contractual	Obligation		
			\$3,837.00	11510001	50030	City Solicitor	\$51,545.00
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			Reason:	Contractual	Obligation		
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			\$566.00	11520001	50530	HR Director	\$41,625.00
			Reason:	Contractual	Obligation		
			\$1,871.00	11520001	50532	HR Assistant	\$25,195.00
			Reason:	Contractual	Obligation		
			Ttodoon.	Contractaci	Obligation		
			\$1,477.00	11520002	50775	Admin Assistant	\$19,921.00
			D	0	Oblination		
			Reason:	Contractual	Obligation		
			\$1,821.00	11550001	50014	Director IT	\$24,527.00
			Reason:	Contractual	Obligation		
			\$2,202.00	11550001	50210	Sr System Analyst	\$29,207.00
			Ψ2,202.00	11330001	30210	or oystem Analyst	Ψ23,201.00
			Reason:	Contractual	Obligation		
			00.004.00		50040		000 440 00
			\$2,634.00	1155001	50213	Network Engineer	\$36,149.00
			Reason:	Contractual	Obligation		
			\$7,128.00	11550001	50385	Electrician	\$24,965.00
			Reason:	Contractual	Obligation		
			INCASUII.	Contractual	Obligation		
			\$2,720.00	11610001	50050	City Clerk	\$39,146.00
			Reason:	Contractual	Obligation		
			\$1,999.00	11610002	50290	Assist City Clerk	\$26,885.00

Reason:	Contractual Obligation		
Reason.	Contractual Obligation		
\$1,426.00	11610002 50770	Senior Clerk	\$18,681.00
Reason:	Contractual Obligation		
\$812.00	11650003 51110	License Comm Members	\$1,231.00
<b>\$0.2.00</b>	1100000 01110		<b>V</b> 1,201100
Reason:	Contractual Obligation		
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\$4,012.00	11920001 30292	biug Waini Cransman	\$00,030.00
Reason:	Contractual Obligation		
	<b>.</b>		
\$1,928.00	11920001 50385	Electrician	\$25,534.00
Reason:	Contractual Obligation		
\$1,785.00	11920001 50690	Foreman	\$27,669.00
Reason:	Contractual Obligation		
rteasur.	Contractual Obligation		
\$22,172.00	12100001 50140	Police Chief	\$60,390.00
December 1	Ocatacatus I Obligation		
Reason:	Contractual Obligation		
\$346,543.00	<b>1</b> 2100001 50420	Police Officers	\$91,573.00
Reason:	Contractual Obligation		
\$4,659.00	12100001 50500	Police Captains	\$91,573.00
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Reason:	Contractual Obligation		
\$23,900.00	<b>1</b> 2100001 50510	Police Lieutenants	\$200,613.00
\$23,900.00	12100001 50510	Police Lieutenants	\$200,013.00
Reason:	Contractual Obligation		
	F		
\$49,932.00	12100001 50820	Sergeants	\$350,843.00
Reason:	Contractual Obligation		
\$3,305.00	12100002 50520	Principal Clerk	\$43,626.00
Reason:	Contractual Obligation		
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\$6,821.00	12100003 51213	Dispatchers	\$190,036.00
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Reason:	Contractual Obligation		
\$1,961.00	12100003 51214	Public Safety Assistant	\$26,011.00
Reason:	Contractual Obligation		
\$4,940.00	12200001 50130	Fire Chief	\$68,830.00
Ψ1,040.00			\$30,000.00
Reason:	Contractual Obligation		

				\$2,032.00	12200002	50062	Finance Assistant	\$26,919.00
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				Reason:	Contractual	Obligation		
				\$2,470.00	12410001	50109	Environmental Officer	\$33,213.00
				Reason:	Contractual	Obligation		
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	-			\$37,249.00	12410001	50260	Local Inspector	\$64,392.00
				Reason:	Contractual	Obligation		
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				\$3,651.00	12410001	50370	Plumbing Inspector	\$27,823.00
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-				Reason:	Contractual	Obligation		
				\$3,395.00	12410001	50380	Electrical Inspector	\$28,079.00
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				Reason:	Contractual	Obligation		
				\$3,828.00	13032001	50385	Electrician	\$25,803.00
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				Reason:	Contractual	Obligation		
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				\$98.00	13032001	50690	Foreman	\$32,231.00
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				Reason:	Contractual	Obligation		
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				Reason:	Contractual	Obligation		
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				\$3,293.00	14000001	50630	Asst DPW Commissioner	\$44,249.00
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				\$1,950.00	14000002	50062	Financial Analyst	\$26,538.00
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					\$2,486.00	14001101	50108	GIS Administrator	\$32,924.00
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					Reason:	Contractual	Obligation		
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					Danasa	Cantractual	Ohlination		
					Reason:	Contractual	Obligation		
					\$11,471.00	14001101	50700	Grade 2 Engineer Aide	\$25,451.00
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					\$2,955.00	14001301	50660	General Foreman	\$39,147.00
					Reason:	Contractual	Obligation		
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					\$7,389.00	14001301	50690	Foreman	\$97,860.00
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			-		<b>A</b> 40.000.00	E 1001000	50740		0040 004 00
					\$18,262.00	14001303	50740	Equipment Operators	\$349,831.00
					Reason:	Contractual	Obligation		
					110000111	- Communication	Junganion		
					\$2,463.00	14001401	50690	Foreman	\$32,620.00
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					\$2,196.00	14920001	50110	Recreation Director	\$34,755.00
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					\$1,892.00	14920001	50166	Recreation Prog Mgr	\$25,092.00
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					\$1,426.00	14920002	50770	Senior Clerk	\$18,681.00
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Reason:   Contractual Obligation   \$2,054.00   \$152000   \$50500   Principal Clerk   \$20,596.00   \$3510.00   \$15120002   \$50500   Principal Clerk   \$20,596.00   \$3510.00   \$15120003   \$50900   Board of Health Members   \$863.00   \$3510.00   \$15120003   \$50900   Board of Health Members   \$863.00   \$3510.00   \$15410000   \$50150   Director Elderry Material State					\$2,980.00	15120001	50605	Director of Public Health	\$40,154.00
S2   S5   S5   Principal Client   S20   S98					\$2,900.00	13120001	30003	Director of Public Fleatin	ψ <del>4</del> 0,134.00
Ressor:   Contractual Obligation					Reason:	Contractual	Obligation		
Ressor:   Contractual Obligation									
S311.00					\$2,054.00	15120002	50520	Principal Clerk	\$20,509.00
Reason:   Contractual Obligation   S1,512.00   15410001   50190   Director Eldenly Affairs   S32,624.0					Reason:	Contractual	Obligation		
Reason:   Contractual Obligation   S1,512.00   15410001   50190   Director Eldenly Affairs   S32,624.0					P244 00	45400000	50000	Decod of Health Mess have	<b>#000 00</b>
\$4,119.00   15410001   50190   Director Elderly Affairs   \$32,634.0   Reason: Contractual Obligation   \$1,541.0001   50132   Outerach Worker   \$20,080.0   Reason: Contractual Obligation   \$1,283.00   75410002   50584   Clerk Typist   \$17,145.0   Reason: Contractual Obligation   \$1,426.00   75410002   50770   Senior Clerk   \$18,881.0   Reason: Contractual Obligation   \$1,517.00   15430001   50080   Meterans Director   \$27,295.0   Reason: Contractual Obligation   \$3,381.00   76100001   50230   Ubrary Director   \$45,159.0   Reason: Contractual Obligation   \$22,095.0   Reason: Contractual Obligation   \$22,596.0					\$311.00	15120003	50990	Board of Health Wembers	\$003.00
\$4,119.00   15410001   50190   Director Elderly Affairs   \$32,634.0   Reason: Contractual Obligation   \$1,541.0001   50132   Outerach Worker   \$20,080.0   Reason: Contractual Obligation   \$1,283.00   75410002   50584   Clerk Typist   \$17,145.0   Reason: Contractual Obligation   \$1,426.00   75410002   50770   Senior Clerk   \$18,881.0   Reason: Contractual Obligation   \$1,517.00   15430001   50080   Meterans Director   \$27,295.0   Reason: Contractual Obligation   \$3,381.00   76100001   50230   Ubrary Director   \$45,159.0   Reason: Contractual Obligation   \$22,095.0   Reason: Contractual Obligation   \$22,596.0					Reason:	Contractual	Obligation		
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S1.512.00									
Reason:   Contractual Obligation   S1,293,000   Tis410002   50584   Clerk Typist   S17,145,00   Reason:   Contractual Obligation   Contractual Obligation   S1,426,000   Tis410002   50770   Sentor Clerk   S18,681,00   S1,517,000   Tis400001   50080   Veterans Director   S27,295,00   S27,29					Reason:	Contractual	Obligation		
Reason:   Contractual Obligation   S1,293,000   Tis410002   50584   Clerk Typist   S17,145,00   Reason:   Contractual Obligation   Contractual Obligation   S1,426,000   Tis410002   50770   Sentor Clerk   S18,681,00   S1,517,000   Tis400001   50080   Veterans Director   S27,295,00   S27,29					¢1 512 00	15/11/00/1	E0122	Outroach Warker	\$20,060,00
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\$1,426.00					\$1,293.00	15410002	50584	Cierk Typist	\$17,145.00
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Reason:   Contractual Obligation   \$27,295.0									
\$1,517.00   \$1,5430001   \$50080   Veterans Director   \$27,295.00					\$1,426.00	15410002	50770	Senior Clerk	\$18,681.00
\$1,517.00					Reason:	Contractual	Obligation		
Reason:   Contractual Obligation   \$45,159.0									
\$3,361.00					\$1,517.00	15430001	50080	Veterans Director	\$27,295.00
\$3,361.00					Reason:	Contractual	Obligation		
Reason:   Contractual Obligation   \$2,001.00   \$16100001   50300   Asst Library Director   \$26,883.0					Ttodoon.	Contractada	Obligation		
\$2,001.00					\$3,361.00	16100001	50230	Library Director	\$45,159.00
\$2,001.00									
Reason:   Contractual Obligation   \$1,704.00   16100001   50470   Childrens Librarian   \$22,599.00					Reason:	Contractual	Obligation		
\$1,704.00   16100001   50470   Childrens Librarian   \$22,599.00					\$2,001.00	16100001	50300	Asst Library Director	\$26,883.00
\$1,704.00   16100001   50470   Childrens Librarian   \$22,599.00									
Reason:   Contractual Obligation   \$21,818.0					Reason:	Contractual	Obligation		
\$1,647.00					\$1,704.00	16100001	50470	Childrens Librarian	\$22,599.00
\$1,647.00					_				
Reason:   Contractual Obligation					Reason:	Contractual	Obligation		
Reason:   Contractual Obligation					\$1.647.00	16100001	50480	Cataloguer	\$21,818.00
\$1,853.00					,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			3.	
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Reason: Contractual Obligation  \$1,647.00   16100002   50520   Principal Clerk   \$21,818.0  Reason: Contractual Obligation					Ø4 050 CC	40400004	50050	Handat Olay L. C	<b>#04.550.00</b>
\$1,647.00					\$1,853.00	100001	00000	nead of Circulation	\$24,550.00
Reason: Contractual Obligation					Reason:	Contractual	Obligation		
Reason: Contractual Obligation									
					\$1,647.00	16100002	50520	Principal Clerk	\$21,818.00
					Reason:	Contractual	Obligation		
		-			\$1,487.00	16100003	50860	Full Time Library Clerk	\$27,016.00

	\$1,487.00	16100003 508	860 Full Time Library Clerk	\$27,016.00
	<del>\\\\\\\\\\\\\\\\\\\\\\\\\\\\\</del>	1010000		ψ=: γο : ο : ο :
	Reason:	Contractual Oblig	ation	
	\$2,418.00	60080001 50	570 Chemist	\$32,269.00
	Reason:	Contractual Oblig	otion	
	I/Casui.	Contractual Oblig	alion	
	\$3,067.00	60080001 506	630 Asst DPW Commissioner	\$42,643.00
	Reason:	Contractual Oblig	ation	
	\$2,689.00	60085001 509	910 Head Treatment Operator	\$39,413.00
	Ψ2,000.00	0000001	Ticau ficaument operator	ψου, τιο.ου
	Reason:	Contractual Oblig	ation	
	<b>A</b> - 7 - 10	K		*
	\$2,747.00	61090001 500	General Foreman	\$37,737.00
	Reason:	Contractual Oblig	ation	
	\$19,205.00	61090001 500	690 Foreman	\$117,139.00
	Reason:	Contractual Oblig	ation	
	INGGSUII.	Contractual Oblig	alion	
	\$130,105.00	61090001 507	740 Equipment Operators	\$155,215.00
	Reason:	Contractual Oblig	ation	
	\$2,463.00	61090001 50	780 Chief Pump Station Oper	\$32,620.00
	Reason:	Contractual Oblig	ation	
	• • • • • • • • • • • • • • • • • • • •	<b></b>		•
	\$440.00	61090002 50	520 Principal Clerk	\$20,826.00
	Reason:	Contractual Oblig	ation	
	\$555,250.00	11990006 535	565 COVID 19	\$46,380.00
	Reason:	Vaccination incer	ntive	
\$1,439,076.00	\$1,439,076.00			
ψ1,100,010.00	ψ1,που,010.00			

				CITY OF M	ARLBOROUGH				
					RANSFERS				
	DEPT:	Various				FISCAL YE	AR:	2022	
		FROM AC	COLINIT			TO 40001	INIT.		
Available		FROW AC	JOUNT:			TO ACCOL	JIN I :		Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$470.040.00	Ø50.540.00	40400000	E4004	D . T . L	\$00.540.00	12410004	50400	DI D (0.T. I 0	<b>*</b> 0.0
\$170,343.20	\$50,540.00	16100003	51261	Part-Time Library Clerks	\$23,540.00	12410004	53180	Bldg Prof & Tech Serv	\$0.0
	Reason:	Vacant pos	sitions			For prior ye	ear outstand	ding invoices from 4Leaf	
					\$14,000.00	11520004	53010	Medical Exams	\$2,179.50
						Large numl	per of hires	including Fire & Police	
					\$13,000.00	11520006	57380	Conference & Training	\$16,902.08
						Munis and	Microsoft to	raining	
\$70,803.71	\$15,000.00	11510001	50172	Assist City Solicitor	\$15,000.00	11510004	53110	Legal Services	\$49,970.79
		Position wa	as vacant			To replace	funds trans	ferred to Claims & Judgemen	ts
						back in Se			
\$20,000.00	\$6,000.00	14920003	50999	Events Coordinator	\$6,000.00	11210003	51250	Summer Employment	\$6,092.56
	Reason:	Vacant pos	sition			Anticipated	I funds need	ded through June 30th	
\$19,050.00	\$16,000.00	11620002	50141	Clerk	\$16,000.00	11520004	53140	Contract Services	\$18,339.51
	Reason:	Vacant pos	sition			Fire promo	tional proce	ess	
	\$87,540.00	Total			\$87,540.00	Total			

				CITY OF M	IARLBOROUGH				
				BUDGET	TRANSFERS				
	DEPT:	FIRE				FISCAL YE	AR:	2022	
		FROM ACC	COUNT:			TO ACCOL	JNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$82,093.00	\$5,000.00	12200001	50805	Fire Inspector	\$5,000.00	12200006	52500	Repair/Maint. Equipmt.	\$4,092.09
	Reason:	Vacancy c	reated surpl	us		Increased of	costs for SC	CBA repairs & Fleet PM's	
	\$5,000.00	Total			\$5,000.00	Total			

					ARLBOROUGH				
				BUDGETT	RANSFERS				
	DEPT:	Departmen	t of Public V	Vorks/Public Facilities		FISCAL YE	AR:	2022	
		FROM ACC	COUNT:			TO ACCOL	JNT:		
Available									Available
Balance	Amount	Org Code	Object	Account Description:	Amount	Org Code	Object	Account Description:	Balance
\$29,626	\$23,000.00	11920001	50291	Public Facilities Director	\$23,000.00	11920006	52469	Repairs & Maint	\$42,846.00
	Reason:	Excess du	e to vacanc	/		Jericho ligh	iting upgrad	le, police station upgrade and	others
\$135,239	\$25,000.00	14001101	50710	Junior Civil Engineer	\$25,000.00	14001106	57830	Enviorn. Complaince NPDES	\$9,879.00
	Reason:	Vacancy d	ue to promo	tion		Additional	sampling fo	r Hudson st landfill	
\$107,476	\$25,000.00	14001101	50660	Assistant City Engineer	\$25,000.00	14001104	53180	Prof & Tech Services	\$25,720.00
	Reason:	Excess du	e to previou	s vacancy		Consultant	design ser	vices for upcoming projects	
\$40,789	\$15,000.00	60081001	50750	Equipment Operator	\$48,000.00	60085004	52570	Service Contract-Plant Equip	\$26,536.00
	Reason:	Excess du	e to vacanc	/		Update Ted	chnically Ba	ased Local Industrial Discharge	Limits
\$165,918	\$24,000.00	60081001	50850	Treatment Plant Operator					
	Reason:	Excess du	e to previou	s vacancy					
\$131,079	\$9,000.00	60085001	50850	Treatment Plant Operator					
	Reason:	Excess du	e to vacanc	/					
	\$121.000.00	Total			\$121.000.00	Total			

Motion by Councilor Robey, seconded by the Chair to adopt the following:

## Suspension of the Rules requested – granted.

ORDERED: That the Communication from the Mayor, re: Request that the City Council consider a Proposed Zoning Change regarding a portion of Jefferson Street, **ORDERED ADVERTISED**.

#### Councilor Dumais recused.

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED That the Reappointment of David Giorgi as Police Chief for a four-year term to expire on August 20, 2025, **APPROVED**; adopted.

Motion by Councilor Dumais, seconded by the Chair to adopt the following:

ORDERED That the Appointment of Sarah Hough to the Historical Commission for a term of three years effective from date of confirmation, **APPROVED**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED That the Communication from Solicitor Jason Grossfield, re: Petition from William Camuso on behalf of Camuso Enterprises, LLC, for hours of operation of a gas station (Shell Station) at 431 Lincoln Street pursuant to Chapter 342 of the Code, in proper legal form, Order No. 20/22-1008046C, **FILE**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED That the application of William Camuso on behalf of Leigh Enterprises, Ltd. (the "Petitioner" or "Holder") to issue a permit to grant an exemption to the hours of operation under City Code Chapter 342, Article 1, Section 342-2, allowing the Shell Gas Station at 431 Lincoln Street to be open for business for certain additional hours is hereby approved in part, in accordance with the following findings and subject to the below conditions:

# A. <u>Findings</u>

The City Council hereby finds that the petition may be granted, when limited and conditioned as set forth below, so that the public convenience and welfare may be substantially served without detrimental effect upon the public health, peace or safety.

#### B. Permit Conditions

- 1. This permit authorizes a partial exemption to the hours of operation set forth in City Code 342-1 which is limited to the following: The service station located at 431 Lincoln Street, Marlborough may be open for business from 5:00 AM to 11:00 PM daily. The service station is not permitted to be open for business outside of those hours.
- 2. This permit is effective for a period of one (1) year from the date of approval of this permit. Thereafter, at the discretion of the City Council, it may be renewed for periods of up to five years.
- 3. In regard to both location and holder, the exemption shall be non-transferrable.
- 4. Petitioner shall install, maintain and use a video surveillance and video recording system to monitor entry ways and sales attendant positions.
- 5. Petitioner shall install and maintain a silent robbery/panic alarm system which must be monitored by a central alarm system. Alarm activators must be installed at all sales attendant positions.
- 6. Petitioner shall permit the Chief of Police or the Chief's designee to inspect, upon demand, the video surveillance, video monitoring and alarm systems. If any of the systems are found to be not in compliance with these conditions, Petitioner must limit the hours of operation of the station to between 6:00 AM and 11:00 PM until full compliance with conditions is achieved.
- 7. Petitioner shall not permit or suffer any automotive repair work to be performed on the premises by any person.

**APPROVED**; adopted.

Motion by Councilor Robey, seconded by the Chair to adopt the following:

ORDERED That the Application for Special Permit from Attorney Falk on behalf of J & D Landscape Contractors to construct and operate both a contractor's yard and landscaping contractor's yard at the Airport Industrial Park, 101 Airport Boulevard, Unit 12, referred to the CITY SOLICITOR TO BE PLACED IN PROPER LEGAL FORM FOR THE MARCH 14, 2022, COUNCIL MEETING; adopted.

#### Councilor Brown recused.

ORDERED That the Marlborough City Council meet in Executive Session under Purpose 3 of the Open Meeting Law, MGL Chapter 30A §21(a)(3) to "discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body" regarding the pending matter, WP Marlborough MA Owner, LLC v. Marlborough City Council (Land Court No. 21 MISC 000451), as the chair hereby declares that discussion in an open session may have a detrimental effect on the City and the City Council's litigating position.

The City Council will not re-convene in open session after the Executive Session.

**APPROVED**; adopted.

Yea: 11 – Nay: 0

Yea: Wagner, Doucette, Dumais, Brown, Irish, Navin, Landers, Oram, Ossing,

Perlman, & Robey.

ORDERED There being no further business, the regular meeting of the City Council is herewith adjourned at 8:20 PM; adopted.